

[COMMITTEE PRINT]

SEPTEMBER 1, 2005

109TH CONGRESS
1ST SESSION**H. R.** _____

To reauthorize and improve the program of block grants to States for temporary assistance for needy families, to improve access to quality child care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BOEHNER introduced the following bill; which was referred to the Committee on _____

A BILL

To reauthorize and improve the program of block grants to States for temporary assistance for needy families, to improve access to quality child care, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Personal Responsi-
5 bility, Work, and Family Promotion Act of 2005”.



1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

TITLE I—TANF

- Sec. 101. Universal engagement and family self-sufficiency plan requirements.
- Sec. 102. Work participation requirements.
- Sec. 103. Work-related performance improvement.
- Sec. 104. Report on coordination.
- Sec. 105. Fatherhood program.
- Sec. 106. State option to make TANF programs mandatory partners with one-stop employment training centers.
- Sec. 107. Sense of the Congress.

TITLE II—CHILD CARE

- Sec. 201. Short title.
- Sec. 202. Goals.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Application and plan.
- Sec. 205. Activities to improve the quality of child care.
- Sec. 206. Report by Secretary.
- Sec. 207. Definitions.

TITLE III—STATE AND LOCAL FLEXIBILITY

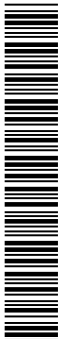
- Sec. 301. Program coordination demonstration projects.

TITLE IV—EFFECTIVE DATE

- Sec. 401. Effective date.

3 SEC. 3. REFERENCES.

4 Except as otherwise expressly provided, wherever in
5 this Act an amendment or repeal is expressed in terms
6 of an amendment to, or repeal of, a section or other provi-
7 sion, the amendment or repeal shall be considered to be
8 made to a section or other provision of the Social Security
9 Act.



1 **TITLE I—TANF**

2 **SEC. 101. UNIVERSAL ENGAGEMENT AND FAMILY SELF-**
3 **SUFFICIENCY PLAN REQUIREMENTS.**

4 (a) MODIFICATION OF STATE PLAN REQUIRE-
5 MENTS.—Section 402(a)(1)(A) (42 U.S.C. 602(a)(1)(A))
6 is amended by striking clauses (ii) and (iii) and inserting
7 the following:

8 “(ii) Require a parent or caretaker re-
9 ceiving assistance under the program to
10 engage in work or alternative self-suffi-
11 ciency activities (as defined by the State),
12 consistent with section 407(e)(2).

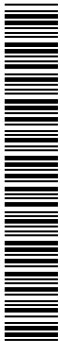
13 “(iii) Require families receiving assist-
14 ance under the program to engage in ac-
15 tivities in accordance with family self-suffi-
16 ciency plans developed pursuant to section
17 408(b).”.

18 (b) ESTABLISHMENT OF FAMILY SELF-SUFFICIENCY
19 PLANS.—

20 (1) IN GENERAL.—Section 408(b) (42 U.S.C.
21 608(b)) is amended to read as follows:

22 “(b) FAMILY SELF-SUFFICIENCY PLANS.—

23 “(1) IN GENERAL.—A State to which a grant
24 is made under section 403 shall—



1 “(A) assess, in the manner deemed appro-
2 priate by the State, the skills, prior work expe-
3 rience, and employability of each work-eligible
4 individual (as defined in section 407(b)(2)(C))
5 receiving assistance under the State program
6 funded under this part;

7 “(B) establish for each family that in-
8 cludes such an individual, in consultation as the
9 State deems appropriate with the individual, a
10 self-sufficiency plan that specifies appropriate
11 activities described in the State plan submitted
12 pursuant to section 402, including direct work
13 activities as appropriate designed to assist the
14 family in achieving their maximum degree of
15 self-sufficiency, and that provides for the ongo-
16 ing participation of the individual in the activi-
17 ties;

18 “(C) require, at a minimum, each such in-
19 dividual to participate in activities in accord-
20 ance with the self-sufficiency plan;

21 “(D) monitor the participation of each
22 such individual in the activities specified in the
23 self sufficiency plan, and regularly review the
24 progress of the family toward self-sufficiency;



1 “(E) upon such a review, revise the self-
2 sufficiency plan and activities as the State
3 deems appropriate.

4 “(2) TIMING.—The State shall comply with
5 paragraph (1) with respect to a family—

6 “(A) in the case of a family that, as of Oc-
7 tober 1, 2005, is not receiving assistance from
8 the State program funded under this part, not
9 later than 60 days after the family first receives
10 assistance on the basis of the most recent appli-
11 cation for the assistance; or

12 “(B) in the case of a family that, as of
13 such date, is receiving the assistance, not later
14 than 12 months after the date of enactment of
15 this subsection.

16 “(3) STATE DISCRETION.—A State shall have
17 sole discretion, consistent with section 407, to define
18 and design activities for families for purposes of this
19 subsection, to develop methods for monitoring and
20 reviewing progress pursuant to this subsection, and
21 to make modifications to the plan as the State
22 deems appropriate to assist the individual in increas-
23 ing their degree of self-sufficiency.

24 “(4) RULE OF INTERPRETATION.—Nothing in
25 this part shall preclude a State from--



1 “(A) requiring participation in work and
2 any other activities the State deems appropriate
3 for helping families achieve self-sufficiency and
4 improving child well-being; or

5 “(B) using job search or other appropriate
6 job readiness or work activities to assess the
7 employability of individuals and to determine
8 appropriate future engagement activities.”.

9 (2) PENALTY FOR FAILURE TO ESTABLISH
10 FAMILY SELF-SUFFICIENCY PLAN.—Section
11 409(a)(3) (42 U.S.C. 609(a)(3)) is amended—

12 (A) in the paragraph heading, by inserting
13 “OR ESTABLISH FAMILY SELF-SUFFICIENCY
14 PLAN” after “RATES”; and

15 (B) in subparagraph (A), by inserting “or
16 408(b)” after “407(a)”.

17 **SEC. 102. WORK PARTICIPATION REQUIREMENTS.**

18 (a) ELIMINATION OF SEPARATE PARTICIPATION
19 RATE REQUIREMENTS FOR 2-PARENT FAMILIES.—

20 (1) Section 407 (42 U.S.C. 607) is amended in
21 each of subsections (a) and (b) by striking para-
22 graph (2).

23 (2) Section 407(b)(4) (42 U.S.C. 607(b)(4)) is
24 amended by striking “paragraphs (1)(B) and
25 (2)(B)” and inserting “paragraph (1)(B)”.



1 (3) Section 407(c)(1) (42 U.S.C. 607(c)(1)) is
2 amended by striking subparagraph (B).

3 (4) Section 407(c)(2)(D) (42 U.S.C.
4 607(c)(2)(D)) is amended by striking “paragraphs
5 (1)(B)(i) and (2)(B) of subsection (b)” and inserting
6 “subsection (b)(1)(B)(i)”.

7 (b) WORK PARTICIPATION REQUIREMENTS.—Section
8 407 (42 U.S.C. 607) is amended by striking all that pre-
9 cedes subsection (b)(3) and inserting the following:

10 **“SEC. 407. WORK PARTICIPATION REQUIREMENTS.**

11 “(a) PARTICIPATION RATE REQUIREMENTS.—A
12 State to which a grant is made under section 403 for a
13 fiscal year shall achieve a minimum participation rate
14 equal to not less than—

15 “(1) 50 percent for fiscal year 2006;

16 “(2) 55 percent for fiscal year 2007;

17 “(3) 60 percent for fiscal year 2008;

18 “(4) 65 percent for fiscal year 2009; and

19 “(5) 70 percent for fiscal year 2010 and each
20 succeeding fiscal year.

21 “(b) CALCULATION OF PARTICIPATION RATES.—

22 “(1) AVERAGE MONTHLY RATE.—For purposes
23 of subsection (a), the participation rate of a State
24 for a fiscal year is the average of the participation
25 rates of the State for each month in the fiscal year.



1 “(2) MONTHLY PARTICIPATION RATES; INCOR-
2 PORATION OF 40-HOUR WORK WEEK STANDARD.—

3 “(A) IN GENERAL.—For purposes of para-
4 graph (1), the participation rate of a State for
5 a month is—

6 “(i) the total number of countable
7 hours (as defined in subsection (c)) with
8 respect to the counted families for the
9 State for the month; divided by

10 “(ii) 160 multiplied by the number of
11 counted families for the State for the
12 month.

13 “(B) COUNTED FAMILIES DEFINED.—

14 “(i) IN GENERAL.—In subparagraph
15 (A), the term ‘counted family’ means, with
16 respect to a State and a month, a family
17 that includes a work-eligible individual and
18 that receives assistance in the month under
19 the State program funded under this part,
20 subject to clause (ii).

21 “(ii) STATE OPTION TO EXCLUDE
22 CERTAIN FAMILIES.—At the option of a
23 State, the term ‘counted family’ shall not
24 include—

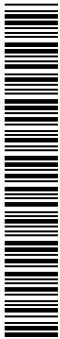


1 “(I) a family in the first month
2 for which the family receives assist-
3 ance from a State program funded
4 under this part on the basis of the
5 most recent application for such as-
6 sistance;

7 “(II) on a case-by-case basis, a
8 family in which the youngest child has
9 not attained 12 months of age; or

10 “(III) a family that is subject to
11 a sanction under this part or part D,
12 but that has not been subject to such
13 a sanction for more than 3 months
14 (whether or not consecutive) in the
15 preceding 12-month period.

16 “(iii) STATE OPTION TO INCLUDE IN-
17 DIVIDUALS RECEIVING ASSISTANCE UNDER
18 A TRIBAL FAMILY ASSISTANCE PLAN OR
19 TRIBAL WORK PROGRAM.—At the option of
20 a State, the term ‘counted family’ may in-
21 clude families in the State that are receiv-
22 ing assistance under a tribal family assist-
23 ance plan approved under section 412 or
24 under a tribal work program to which
25 funds are provided under this part.



1 “(C) WORK-ELIGIBLE INDIVIDUAL DE-
2 FINED.—In this section, the term ‘work-eligible
3 individual’ means an individual—

4 “(i) who is married or a single head
5 of household; and

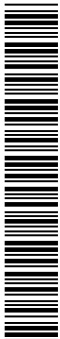
6 “(ii) whose needs are (or, but for
7 sanctions under this part or part D, would
8 be) included in determining the amount of
9 cash assistance to be provided to the fam-
10 ily under the State program funded under
11 this part.”.

12 (c) RECALIBRATION OF CASELOAD REDUCTION
13 CREDIT.—

14 (1) IN GENERAL.—Section 407(b)(3)(A)(ii) (42
15 U.S.C. 607(b)(3)(A)(ii)) is amended to read as fol-
16 lows:

17 “(ii) the average monthly number of
18 families that received assistance under the
19 State program funded under this part dur-
20 ing the base year.”.

21 (2) CONFORMING AMENDMENT.—Section
22 407(b)(3)(B) (42 U.S.C. 607(b)(3)(B)) is amended
23 by striking “and eligibility criteria” and all that fol-
24 lows through the close parenthesis and inserting



1 “and the eligibility criteria in effect during the then
2 applicable base year”.

3 (3) BASE YEAR DEFINED.—Section 407(b)(3)
4 (42 U.S.C. 607(b)(3)) is amended by adding at the
5 end the following:

6 “(C) BASE YEAR DEFINED.—In this para-
7 graph, the term ‘base year’ means, with respect
8 to a fiscal year—

9 “(i) if the fiscal year is fiscal year
10 2006, fiscal year 1996;

11 “(ii) if the fiscal year is fiscal year
12 2007, fiscal year 1998;

13 “(iii) if the fiscal year is fiscal year
14 2008, fiscal year 2001; or

15 “(iv) if the fiscal year is fiscal year
16 2009 or any succeeding fiscal year, the
17 then 4th preceding fiscal year.”.

18 (d) SUPERACHIEVER CREDIT.—Section 407(b) (42
19 U.S.C. 607(b)) is amended by striking paragraphs (4) and
20 (5) and inserting the following:

21 “(4) SUPERACHIEVER CREDIT.—

22 “(A) IN GENERAL.—The participation
23 rate, determined under paragraphs (1) and (2)
24 of this subsection, of a superachiever State for



1 a fiscal year shall be increased by the lesser
2 of—

3 “(i) the amount (if any) of the super-
4 achiever credit applicable to the State; or

5 “(ii) the number of percentage points
6 (if any) by which the minimum participa-
7 tion rate required by subsection (a) for the
8 fiscal year exceeds 50 percent.

9 “(B) SUPERACHIEVER STATE.—For pur-
10 poses of subparagraph (A), a State is a super-
11 achiever State if the State caseload for fiscal
12 year 2001 has declined by at least 60 percent
13 from the State caseload for fiscal year 1995.

14 “(C) AMOUNT OF CREDIT.—The super-
15 achiever credit applicable to a State is the num-
16 ber of percentage points (if any) by which the
17 decline referred to in subparagraph (B) exceeds
18 60 percent.

19 “(D) DEFINITIONS.—In this paragraph:

20 “(i) STATE CASELOAD FOR FISCAL
21 YEAR 2001.—The term ‘State caseload for
22 fiscal year 2001’ means the average
23 monthly number of families that received
24 assistance during fiscal year 2001 under
25 the State program funded under this part.



1 “(ii) STATE CASELOAD FOR FISCAL
2 YEAR 1995.—The term ‘State caseload for
3 fiscal year 1995’ means the average
4 monthly number of families that received
5 aid under the State plan approved under
6 part A (as in effect on September 30,
7 1995) during fiscal year 1995.”.

8 (e) COUNTABLE HOURS.—Section 407 of such Act
9 (42 U.S.C. 607) is amended by striking subsections (c)
10 and (d) and inserting the following:

11 “(c) COUNTABLE HOURS.—

12 “(1) DEFINITION.—In subsection (b)(2), the
13 term ‘countable hours’ means, with respect to a fam-
14 ily for a month, the total number of hours in the
15 month in which any member of the family who is a
16 work-eligible individual is engaged in a direct work
17 activity or other activities specified by the State (ex-
18 cluding an activity that does not address a purpose
19 specified in section 401(a)), subject to the other pro-
20 visions of this subsection.

21 “(2) LIMITATIONS.—Subject to such regula-
22 tions as the Secretary may prescribe:

23 “(A) MINIMUM WEEKLY AVERAGE OF 24
24 HOURS OF DIRECT WORK ACTIVITIES RE-
25 QUIRED.—If the work-eligible individuals in a



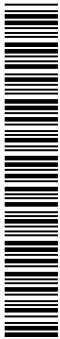
1 family are engaged in a direct work activity for
2 an average total of fewer than 24 hours per
3 week in a month, then the number of countable
4 hours with respect to the family for the month
5 shall be zero.

6 “(B) MAXIMUM WEEKLY AVERAGE OF 16
7 HOURS OF OTHER ACTIVITIES.—An average of
8 not more than 16 hours per week of activities
9 specified by the State (subject to the exclusion
10 described in paragraph (1)) may be considered
11 countable hours in a month with respect to a
12 family.

13 “(3) SPECIAL RULES.—For purposes of para-
14 graph (1):

15 “(A) PARTICIPATION IN QUALIFIED AC-
16 TIVITIES.—

17 “(i) IN GENERAL.—If, with the ap-
18 proval of the State, the work-eligible indi-
19 viduals in a family are engaged in 1 or
20 more qualified activities for an average
21 total of at least 24 hours per week in a
22 month, then all such engagement in the
23 month shall be considered engagement in a
24 direct work activity, subject to clause (iii).



1 “(ii) QUALIFIED ACTIVITY DE-
2 FINED.—The term ‘qualified activity’
3 means an activity specified by the State
4 (subject to the exclusion described in para-
5 graph (1)) that meets such standards and
6 criteria as the State may specify,
7 including—

8 “(I) substance abuse counseling
9 or treatment;

10 “(II) rehabilitation treatment
11 and services;

12 “(III) work-related education or
13 training directed at enabling the fam-
14 ily member to work;

15 “(IV) job search or job readiness
16 assistance; and

17 “(V) any other activity that ad-
18 dresses a purpose specified in section
19 401(a).

20 “(iii) LIMITATION.—

21 “(I) IN GENERAL.—Except as
22 provided in subclause (II), clause (i)
23 shall not apply to a family for more
24 than 3 months in any period of 24
25 consecutive months.



1 “(II) SPECIAL RULE APPLICABLE
2 TO EDUCATION AND TRAINING.—A
3 State may, on a case-by-case basis,
4 apply clause (i) to a work-eligible indi-
5 vidual so that participation by the in-
6 dividual in education or training, if
7 needed to permit the individual to
8 complete a certificate program or
9 other work-related education or train-
10 ing directed at enabling the individual
11 to fill a known job need in a local
12 area, may be considered countable
13 hours with respect to the family of the
14 individual for not more than 4 months
15 in any period of 24 consecutive
16 months.

17 “(B) SCHOOL ATTENDANCE BY TEEN
18 HEAD OF HOUSEHOLD.—The work-eligible
19 members of a family shall be considered to be
20 engaged in a direct work activity for an average
21 of 40 hours per week in a month if the family
22 includes an individual who is married, or is a
23 single head of household, who has not attained
24 20 years of age, and the individual—



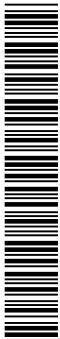
1 “(i) maintains satisfactory attendance
2 at secondary school or the equivalent in
3 the month; or

4 “(ii) participates in education directly
5 related to employment for an average of at
6 least 20 hours per week in the month.

7 “(C) PARENTAL PARTICIPATION IN
8 SCHOOLS.—Each work-eligible individual in a
9 family shall make verified visits at least twice
10 per school year to the school of each of the indi-
11 vidual’s minor dependent children required to
12 attend school under the law of the State in
13 which the minor children reside, during the pe-
14 riod in which the family receives assistance
15 under the program funded under this part.
16 Hours spent in such activity may be specified
17 by the State as countable hours for purposes of
18 paragraph (2)(B).

19 “(d) DIRECT WORK ACTIVITY.—In this section, the
20 term ‘direct work activity’ means—

- 21 “(1) unsubsidized employment;
22 “(2) subsidized private sector employment;
23 “(3) subsidized public sector employment;
24 “(4) on-the-job training;
25 “(5) supervised work experience; or



1 “(6) supervised community service.”.

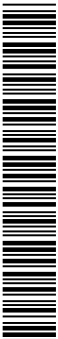
2 (f) PENALTIES AGAINST INDIVIDUALS.—Section
3 407(e)(1) (42 U.S.C. 607(e)(1)) is amended to read as
4 follows:

5 “(1) REDUCTION OR TERMINATION OF ASSIST-
6 ANCE.—

7 “(A) IN GENERAL.—Except as provided in
8 paragraph (2), if an individual in a family re-
9 ceiving assistance under a State program fund-
10 ed under this part fails to engage in activities
11 required in accordance with this section, or
12 other activities required by the State under the
13 program, and the family does not otherwise en-
14 gage in activities in accordance with the self-
15 sufficiency plan established for the family pur-
16 suant to section 408(b), the State shall—

17 “(i) if the failure is partial or persists
18 for not more than 1 month—

19 “(I) reduce the amount of assist-
20 ance otherwise payable to the family
21 pro rata (or more, at the option of the
22 State) with respect to any period dur-
23 ing a month in which the failure oc-
24 curs; or



1 “(II) terminate all assistance to
2 the family, subject to such good cause
3 exceptions as the State may establish;
4 or

5 “(ii) if the failure is total and persists
6 for at least 2 consecutive months, termi-
7 nate all cash payments to the family in-
8 cluding qualified State expenditures (as de-
9 fined in section 409(a)(7)(B)(i)) for at
10 least 1 month and thereafter until the
11 State determines that the individual has
12 resumed full participation in the activities,
13 subject to such good cause exceptions as
14 the State may establish.

15 “(B) SPECIAL RULE.—

16 “(i) IN GENERAL.—In the event of a
17 conflict between a requirement of clause
18 (i)(II) or (ii) of subparagraph (A) and a
19 requirement of a State constitution, or of
20 a State statute that, before 1966, obligated
21 local government to provide assistance to
22 needy parents and children, the State con-
23 stitutional or statutory requirement shall
24 control.



1 “(ii) LIMITATION.—Clause (i) of this
2 subparagraph shall not apply after the 1-
3 year period that begins with the date of
4 the enactment of this subparagraph.”.

5 (g) CONFORMING AMENDMENTS.—

6 (1) Section 407(f) (42 U.S.C. 607(f)) is amend-
7 ed in each of paragraphs (1) and (2) by striking
8 “work activity described in subsection (d)” and in-
9 serting “direct work activity”.

10 (2) The heading of section 409(a)(14) (42
11 U.S.C. 609(a)(14)) is amended by inserting “**OR**
12 **REFUSING TO ENGAGE IN ACTIVITIES UNDER A**
13 **FAMILY SELF-SUFFICIENCY PLAN**” after
14 “**WORK**” .

15 **SEC. 103. WORK-RELATED PERFORMANCE IMPROVEMENT.**

16 (a) STATE PLANS.—Section 402(a)(1) (42 U.S.C.
17 602(a)) is amended—

18 (1) in subparagraph (A), by adding at the end
19 the following:

20 “(vii) The document shall—

21 “(I) describe how the State will
22 pursue ending dependence of needy
23 families on government benefits and
24 reducing poverty by promoting job
25 preparation and work;



1 “(II) include specific, numerical,
2 and measurable performance objec-
3 tives for accomplishing subclause (I);
4 and

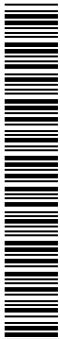
5 “(IV) describe the methodology
6 that the State will use to measure
7 State performance in relation to each
8 such objective.

9 “(viii) Describe any strategies and
10 programs the State may be undertaking to
11 address—

12 “(I) employment retention and
13 advancement for recipients of assist-
14 ance under the program, including
15 placement into high-demand jobs, and
16 whether the jobs are identified using
17 labor market information;

18 “(II) services for struggling and
19 noncompliant families, and for clients
20 with special problems; and

21 “(III) program integration, in-
22 cluding the extent to which employ-
23 ment and training services under the
24 program are provided through the
25 One-Stop delivery system created



1 under the Workforce Investment Act
2 of 1998, and the extent to which
3 former recipients of such assistance
4 have access to additional core, inten-
5 sive, or training services funded
6 through such Act.”; and

7 (2) in subparagraph (B), by striking clause (iv).

8 (b) REPORT ON ANNUAL PERFORMANCE IMPROVE-
9 MENT.—Section 411 of such Act (42 U.S.C. 611) is
10 amended by adding at the end the following:

11 “(c) ANNUAL REPORT ON PERFORMANCE IMPROVE-
12 MENT.—Beginning with fiscal year 2007, not later than
13 January 1 of each fiscal year, each eligible State shall sub-
14 mit to the Secretary a report on achievement and improve-
15 ment during the preceding fiscal year under the numerical
16 performance goals and measures under the State program
17 funded under this part with respect to the matter de-
18 scribed in section 402(a)(1)(A)(vii).”.

19 (c) ANNUAL RANKING OF STATES.—Section
20 413(d)(1) of such Act (42 U.S.C. 613(d)(1)) is amended
21 by striking “long-term private sector jobs,” and inserting
22 “private sector jobs, the success of the recipients in retain-
23 ing employment, the ability of the recipients to increase
24 their wages,”.



1 (d) PERFORMANCE IMPROVEMENT.—Section 413 of
2 such Act (42 U.S.C. 613) is amended by adding at the
3 end the following:

4 “(k) PERFORMANCE IMPROVEMENT.—The Secretary,
5 in consultation with States, shall develop uniform perform-
6 ance measures designed to assess the degree of effective-
7 ness, and the degree of improvement, of State programs
8 funded under this part in accomplishing the work-related
9 purposes of this part.”.

10 **SEC. 104. REPORT ON COORDINATION.**

11 Not later than 6 months after the date of the enact-
12 ment of this Act, the Secretary of Health and Human
13 Services and the Secretary of Labor shall jointly submit
14 a report to the Congress describing common or conflicting
15 data elements, definitions, performance measures, and re-
16 porting requirements in the Workforce Investment Act of
17 1998 and part A of title IV of the Social Security Act,
18 and, to the degree each Secretary deems appropriate, at
19 the discretion of either Secretary, any other program ad-
20 ministered by the respective Secretary, to allow greater co-
21 ordination between the welfare and workforce development
22 systems.



1 **SEC. 105. FATHERHOOD PROGRAM.**

2 (a) SHORT TITLE.—This section may be cited as the
3 “Promotion and Support of Responsible Fatherhood and
4 Healthy Marriage Act of 2005”.

5 (b) FATHERHOOD PROGRAM.—

6 (1) IN GENERAL.—Title I of the Personal Re-
7 sponsibility and Work Opportunity Reconciliation
8 Act of 1996 (Public Law 104–193) is amended by
9 adding at the end the following:

10 **“SEC. 117. FATHERHOOD PROGRAM.**

11 “(a) IN GENERAL.—Title IV (42 U.S.C. 601–679b)
12 is amended by inserting after part B the following:

13 **‘PART C—FATHERHOOD PROGRAM**

14 **‘SEC. 441. FINDINGS AND PURPOSES.**

15 ‘(a) FINDINGS.—The Congress finds that there is
16 substantial evidence strongly indicating the urgent need
17 to promote and support involved, committed, and respon-
18 sible fatherhood, and to encourage and support healthy
19 marriages between parents raising children, including data
20 demonstrating the following:

21 ‘(1) In approximately 84 percent of cases where
22 a parent is absent, that parent is the father.

23 ‘(2) If current trends continue, half of all chil-
24 dren born today will live apart from one of their par-
25 ents, usually their father, at some point before they
26 turn 18.



1 ‘(3) Where families (whether intact or with a
2 parent absent) are living in poverty, a significant
3 factor is the father’s lack of job skills.

4 ‘(4) Committed and responsible fathering dur-
5 ing infancy and early childhood contributes to the
6 development of emotional security, curiosity, and
7 math and verbal skills.

8 ‘(5) An estimated 19,400,000 children (27 per-
9 cent) live apart from their biological father.

10 ‘(6) Forty percent of children under age 18 not
11 living with their biological father had not seen their
12 father even once in the last 12 months, according to
13 national survey data.

14 ‘(b) PURPOSES.—The purposes of this part are:

15 ‘(1) To provide for projects and activities by
16 public entities and by nonprofit community entities,
17 including religious organizations, designed to test
18 promising approaches to accomplishing the following
19 objectives:

20 ‘(A) Promoting responsible, caring, and ef-
21 fective parenting through counseling, men-
22 toring, and parenting education, dissemination
23 of educational materials and information on
24 parenting skills, encouragement of positive fa-
25 ther involvement, including the positive involve-



1 ment of nonresident fathers, and other meth-
2 ods.

3 ‘(B) Enhancing the abilities and commit-
4 ment of unemployed or low-income fathers to
5 provide material support for their families and
6 to avoid or leave welfare programs by assisting
7 them to take full advantage of education, job
8 training, and job search programs, to improve
9 work habits and work skills, to secure career
10 advancement by activities such as outreach and
11 information dissemination, coordination, as ap-
12 propriate, with employment services and job
13 training programs, including the One-Stop de-
14 livery system established under title I of the
15 Workforce Investment Act of 1998, encourage-
16 ment and support of timely payment of current
17 child support and regular payment toward past
18 due child support obligations in appropriate
19 cases, and other methods.

20 ‘(C) Improving fathers’ ability to effec-
21 tively manage family business affairs by means
22 such as education, counseling, and mentoring in
23 matters including household management,
24 budgeting, banking, and handling of financial



1 transactions, time management, and home
2 maintenance.

3 ‘(D) Encouraging and supporting healthy
4 marriages and married fatherhood through such
5 activities as premarital education, including the
6 use of premarital inventories, marriage prepara-
7 tion programs, skills-based marriage education
8 programs, marital therapy, couples counseling,
9 divorce education and reduction programs, di-
10 vorce mediation and counseling, relationship
11 skills enhancement programs, including those
12 designed to reduce child abuse and domestic vi-
13 olence, and dissemination of information about
14 the benefits of marriage for both parents and
15 children.

16 ‘(2) Through the projects and activities de-
17 scribed in paragraph (1), to improve outcomes for
18 children with respect to measures such as increased
19 family income and economic security, improved
20 school performance, better health, improved emo-
21 tional and behavioral stability and social adjustment,
22 and reduced risk of delinquency, crime, substance
23 abuse, child abuse and neglect, teen sexual activity,
24 and teen suicide.



1 “(3) To evaluate the effectiveness of various ap-
2 proaches and to disseminate findings concerning out-
3 comes and other information in order to encourage
4 and facilitate the replication of effective approaches
5 to accomplishing these objectives.

6 **‘SEC. 442. DEFINITIONS.**

7 ‘In this part, the terms “Indian tribe” and “tribal
8 organization” have the meanings given them in sub-
9 sections (e) and (l), respectively, of section 4 of the Indian
10 Self-Determination and Education Assistance Act.

11 **‘SEC. 443. COMPETITIVE GRANTS FOR SERVICE PROJECTS.**

12 ‘(a) IN GENERAL.—The Secretary may make grants
13 for fiscal years 2006 through 2010 to public and nonprofit
14 community entities, including religious organizations, and
15 to Indian tribes and tribal organizations, for demonstra-
16 tion service projects and activities designed to test the ef-
17 fectiveness of various approaches to accomplish the objec-
18 tives specified in section 441(b)(1).

19 ‘(b) ELIGIBILITY CRITERIA FOR FULL SERVICE
20 GRANTS.—In order to be eligible for a grant under this
21 section, except as specified in subsection (c), an entity
22 shall submit an application to the Secretary containing the
23 following:

24 ‘(1) PROJECT DESCRIPTION.—A statement
25 including—



1 ‘(A) a description of the project and how
2 it will be carried out, including the geographical
3 area to be covered and the number and charac-
4 teristics of clients to be served, and how it will
5 address each of the 4 objectives specified in sec-
6 tion 441(b)(1); and

7 ‘(B) a description of the methods to be
8 used by the entity or its contractor to assess
9 the extent to which the project was successful
10 in accomplishing its specific objectives and the
11 general objectives specified in section 441(b)(1).

12 ‘(2) EXPERIENCE AND QUALIFICATIONS.—A
13 demonstration of ability to carry out the project, by
14 means such as demonstration of experience in suc-
15 cessfully carrying out projects of similar design and
16 scope, and such other information as the Secretary
17 may find necessary to demonstrate the entity’s ca-
18 pacity to carry out the project, including the entity’s
19 ability to provide the non-Federal share of project
20 resources.

21 ‘(3) ADDRESSING CHILD ABUSE AND NEGLECT
22 AND DOMESTIC VIOLENCE.—A description of how
23 the entity will assess for the presence of, and inter-
24 vene to resolve, domestic violence and child abuse
25 and neglect, including how the entity will coordinate



1 with State and local child protective service and do-
2 mestic violence programs.

3 ‘(4) ADDRESSING CONCERNS RELATING TO
4 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
5 mitment to make available to each individual partici-
6 pating in the project education about alcohol, to-
7 bacco, and other drugs, and about the health risks
8 associated with abusing such substances, and infor-
9 mation about diseases and conditions transmitted
10 through substance abuse and sexual contact, includ-
11 ing HIV/AIDS, and to coordinate with providers of
12 services addressing such problems, as appropriate.

13 ‘(5) COORDINATION WITH SPECIFIED PRO-
14 GRAMS.—An undertaking to coordinate, as appro-
15 priate, with State and local entities responsible for
16 the programs under parts A, B, and D of this title,
17 including programs under title I of the Workforce
18 Investment Act of 1998 (including the One-Stop de-
19 livery system), and such other programs as the Sec-
20 retary may require.

21 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
22 agreement to maintain such records, make such re-
23 ports, and cooperate with such reviews or audits as
24 the Secretary may find necessary for purposes of
25 oversight of project activities and expenditures.



1 ‘(7) SELF-INITIATED EVALUATION.—If the enti-
2 ty elects to contract for independent evaluation of
3 the project (part or all of the cost of which may be
4 paid for using grant funds), a commitment to sub-
5 mit to the Secretary a copy of the evaluation report
6 within 30 days after completion of the report and
7 not more than 1 year after completion of the project.

8 ‘(8) COOPERATION WITH SECRETARY’S OVER-
9 SIGHT AND EVALUATION.—An agreement to cooper-
10 ate with the Secretary’s evaluation of projects as-
11 sisted under this section, by means including ran-
12 dom assignment of clients to service recipient and
13 control groups, if determined by the Secretary to be
14 appropriate, and affording the Secretary access to
15 the project and to project-related records and docu-
16 ments, staff, and clients.

17 ‘(c) ELIGIBILITY CRITERIA FOR LIMITED PURPOSE
18 GRANTS.—In order to be eligible for a grant under this
19 section in an amount under \$25,000 per fiscal year, an
20 entity shall submit an application to the Secretary con-
21 taining the following:

22 ‘(1) PROJECT DESCRIPTION.—A description of
23 the project and how it will be carried out, including
24 the number and characteristics of clients to be
25 served, the proposed duration of the project, and



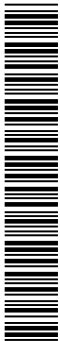
1 how it will address at least 1 of the 4 objectives
2 specified in section 441(b)(1).

3 ‘(2) QUALIFICATIONS.—Such information as
4 the Secretary may require as to the capacity of the
5 entity to carry out the project, including any pre-
6 vious experience with similar activities.

7 ‘(3) COORDINATION WITH RELATED PRO-
8 GRAMS.—As required by the Secretary in appro-
9 priate cases, an undertaking to coordinate and co-
10 operate with State and local entities responsible for
11 specific programs relating to the objectives of the
12 project including, as appropriate, jobs programs and
13 programs serving children and families.

14 ‘(4) RECORDS, REPORTS, AND AUDITS.—An
15 agreement to maintain such records, make such re-
16 ports, and cooperate with such reviews or audits as
17 the Secretary may find necessary for purposes of
18 oversight of project activities and expenditures.

19 ‘(5) COOPERATION WITH SECRETARY’S OVER-
20 SIGHT AND EVALUATION.—An agreement to cooper-
21 ate with the Secretary’s evaluation of projects as-
22 sisted under this section, by means including afford-
23 ing the Secretary access to the project and to
24 project-related records and documents, staff, and cli-
25 ents.



1 ‘(d) CONSIDERATIONS IN AWARDING GRANTS.—

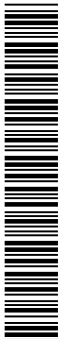
2 ‘(1) DIVERSITY OF PROJECTS.—In awarding
3 grants under this section, the Secretary shall seek to
4 achieve a balance among entities of differing sizes,
5 entities in differing geographic areas, entities in
6 urban and in rural areas, and entities employing dif-
7 fering methods of achieving the purposes of this sec-
8 tion, including working with the State agency re-
9 sponsible for the administration of part D to help fa-
10 thers satisfy child support arrearage obligations.

11 ‘(2) PREFERENCE FOR PROJECTS SERVING
12 LOW-INCOME FATHERS.—In awarding grants under
13 this section, the Secretary may give preference to
14 applications for projects in which a majority of the
15 clients to be served are low-income fathers.

16 ‘(e) FEDERAL SHARE.—

17 ‘(1) IN GENERAL.—Grants for a project under
18 this section for a fiscal year shall be available for a
19 share of the cost of such project in such fiscal year
20 equal to—

21 ‘(A) up to 80 percent (or up to 90 percent,
22 if the entity demonstrates to the Secretary’s
23 satisfaction circumstances limiting the entity’s
24 ability to secure non-Federal resources) in the
25 case of a project under subsection (b); and



1 ‘(B) up to 100 percent, in the case of a
2 project under subsection (c).

3 ‘(2) NON-FEDERAL SHARE.—The non-Federal
4 share may be in cash or in kind. In determining the
5 amount of the non-Federal share, the Secretary may
6 attribute fair market value to goods, services, and
7 facilities contributed from non-Federal sources.

8 **‘SEC. 444. MULTICITY, MULTISTATE DEMONSTRATION**
9 **PROJECTS.**

10 ‘(a) IN GENERAL.—The Secretary may make grants
11 under this section for fiscal years 2006 through 2010 to
12 eligible entities (as specified in subsection (b)) for 2
13 multicity, multistate projects demonstrating approaches to
14 achieving the objectives specified in section 441(b)(1). One
15 of the projects shall test the use of married couples to
16 deliver program services.

17 ‘(b) ELIGIBLE ENTITIES.—An entity eligible for a
18 grant under this section must be a national nonprofit fa-
19 therhood promotion organization that meets the following
20 requirements:

21 ‘(1) EXPERIENCE WITH FATHERHOOD PRO-
22 GRAMS.—The organization must have substantial ex-
23 perience in designing and successfully conducting
24 programs that meet the purposes described in sec-
25 tion 441.



1 ‘(2) EXPERIENCE WITH MULTICITY,
2 MULTISTATE PROGRAMS AND GOVERNMENT COORDI-
3 NATION.—The organization must have experience in
4 simultaneously conducting such programs in more
5 than 1 major metropolitan area in more than 1
6 State and in coordinating such programs, where ap-
7 propriate, with State and local government agencies
8 and private, nonprofit agencies (including commu-
9 nity-based and religious organizations), including
10 State or local agencies responsible for child support
11 enforcement and workforce development.

12 ‘(c) APPLICATION REQUIREMENTS.—In order to be
13 eligible for a grant under this section, an entity must sub-
14 mit to the Secretary an application that includes the fol-
15 lowing:

16 ‘(1) QUALIFICATIONS.—

17 ‘(A) ELIGIBLE ENTITY.—A demonstration
18 that the entity meets the requirements of sub-
19 section (b).

20 ‘(B) OTHER.—Such other information as
21 the Secretary may find necessary to dem-
22 onstrate the entity’s capacity to carry out the
23 project, including the entity’s ability to provide
24 the non-Federal share of project resources.



1 ‘(2) PROJECT DESCRIPTION.—A description of
2 and commitments concerning the project design, in-
3 cluding the following:

4 ‘(A) IN GENERAL.—A detailed description
5 of the proposed project design and how it will
6 be carried out, which shall—

7 ‘(i) provide for the project to be con-
8 ducted in at least 3 major metropolitan
9 areas;

10 ‘(ii) state how it will address each of
11 the 4 objectives specified in section
12 441(b)(1);

13 ‘(iii) demonstrate that there is a suffi-
14 cient number of potential clients to allow
15 for the random selection of individuals to
16 participate in the project and for compari-
17 sons with appropriate control groups com-
18 posed of individuals who have not partici-
19 pated in such projects; and

20 ‘(iv) demonstrate that the project is
21 designed to direct a majority of project re-
22 sources to activities serving low-income fa-
23 thers (but the project need not make serv-
24 ices available on a means-tested basis).

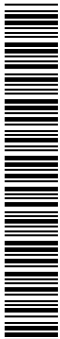


1 ‘(B) OVERSIGHT, EVALUATION, AND AD-
2 JUSTMENT COMPONENT.—An agreement that
3 the entity—

4 ‘(i) in consultation with the evaluator
5 selected pursuant to section 445, and as
6 required by the Secretary, will modify the
7 project design, initially and (if necessary)
8 subsequently throughout the duration of
9 the project, in order to facilitate ongoing
10 and final oversight and evaluation of
11 project operation and outcomes (by means
12 including, to the maximum extent feasible,
13 random assignment of clients to service re-
14 cipient and control groups), and to provide
15 for mid-course adjustments in project de-
16 sign indicated by interim evaluations;

17 ‘(ii) will submit to the Secretary re-
18 vised descriptions of the project design as
19 modified in accordance with clause (i); and

20 ‘(iii) will cooperate fully with the Sec-
21 retary’s ongoing oversight and ongoing and
22 final evaluation of the project, by means
23 including affording the Secretary access to
24 the project and to project-related records
25 and documents, staff, and clients.



1 ‘(3) ADDRESSING CHILD ABUSE AND NEGLECT
2 AND DOMESTIC VIOLENCE.—A description of how
3 the entity will assess for the presence of, and inter-
4 vene to resolve, domestic violence and child abuse
5 and neglect, including how the entity will coordinate
6 with State and local child protective service and do-
7 mestic violence programs.

8 ‘(4) ADDRESSING CONCERNS RELATING TO
9 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
10 mitment to make available to each individual partici-
11 pating in the project education about alcohol, to-
12 bacco, and other drugs, and about the health risks
13 associated with abusing such substances, and infor-
14 mation about diseases and conditions transmitted
15 through substance abuse and sexual contact, includ-
16 ing HIV/AIDS, and to coordinate with providers of
17 services addressing such problems, as appropriate.

18 ‘(5) COORDINATION WITH SPECIFIED PRO-
19 GRAMS.—An undertaking to coordinate, as appro-
20 priate, with State and local entities responsible for
21 the programs funded under parts A, B, and D of
22 this title, programs under title I of the Workforce
23 Investment Act of 1998 (including the One-Stop de-
24 livery system), and such other programs as the Sec-
25 retary may require.



1 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
2 agreement to maintain such records, make such re-
3 ports, and cooperate with such reviews or audits (in
4 addition to those required under the preceding provi-
5 sions of paragraph (2)) as the Secretary may find
6 necessary for purposes of oversight of project activi-
7 ties and expenditures.

8 ‘(d) FEDERAL SHARE.—

9 ‘(1) IN GENERAL.—Grants for a project under
10 this section for a fiscal year shall be available for up
11 to 80 percent of the cost of such project in such fis-
12 cal year.

13 ‘(2) NON-FEDERAL SHARE.—The non-Federal
14 share may be in cash or in kind. In determining the
15 amount of the non-Federal share, the Secretary may
16 attribute fair market value to goods, services, and
17 facilities contributed from non-Federal sources.

18 **‘SEC. 445. EVALUATION.**

19 ‘(a) IN GENERAL.—The Secretary, directly or by con-
20 tract or cooperative agreement, shall evaluate the effec-
21 tiveness of service projects funded under sections 443 and
22 444 from the standpoint of the purposes specified in sec-
23 tion 441(b)(1).

24 ‘(b) EVALUATION METHODOLOGY.—Evaluations
25 under this section shall—



1 ‘(1) include, to the maximum extent feasible,
2 random assignment of clients to service delivery and
3 control groups and other appropriate comparisons of
4 groups of individuals receiving and not receiving
5 services;

6 ‘(2) describe and measure the effectiveness of
7 the projects in achieving their specific project goals;
8 and

9 ‘(3) describe and assess, as appropriate, the im-
10 pact of such projects on marriage, parenting, domes-
11 tic violence, child abuse and neglect, money manage-
12 ment, employment and earnings, payment of child
13 support, and child well-being, health, and education.

14 ‘(c) EVALUATION REPORTS.—The Secretary shall
15 publish the following reports on the results of the evalua-
16 tion:

17 ‘(1) An implementation evaluation report cov-
18 ering the first 24 months of the activities under this
19 part to be completed by 36 months after initiation
20 of such activities.

21 ‘(2) A final report on the evaluation to be com-
22 pleted by September 30, 2013.

23 **‘SEC. 446. PROJECTS OF NATIONAL SIGNIFICANCE.**

24 ‘The Secretary is authorized, by grant, contract, or
25 cooperative agreement, to carry out projects and activities



1 of national significance relating to fatherhood promotion,
2 including—

3 ‘(1) COLLECTION AND DISSEMINATION OF IN-
4 FORMATION.—Assisting States, communities, and
5 private entities, including religious organizations, in
6 efforts to promote and support marriage and respon-
7 sible fatherhood by collecting, evaluating, developing,
8 and making available (through the Internet and by
9 other means) to all interested parties information re-
10 garding approaches to accomplishing the objectives
11 specified in section 441(b)(1).

12 ‘(2) MEDIA CAMPAIGN.—Developing, promoting,
13 and distributing to interested States, local govern-
14 ments, public agencies, and private nonprofit organi-
15 zations, including charitable and religious organiza-
16 tions, a media campaign that promotes and encour-
17 ages involved, committed, and responsible fatherhood
18 and married fatherhood.

19 ‘(3) TECHNICAL ASSISTANCE.—Providing tech-
20 nical assistance, including consultation and training,
21 to public and private entities, including community
22 organizations and faith-based organizations, in the
23 implementation of local fatherhood promotion pro-
24 grams.



1 ‘(4) RESEARCH.—Conducting research related
2 to the purposes of this part.

3 **‘SEC. 447. NONDISCRIMINATION.**

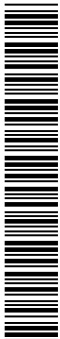
4 ‘The projects and activities assisted under this part
5 shall be available on the same basis to all fathers and ex-
6 pectant fathers able to benefit from such projects and ac-
7 tivities, including married and unmarried fathers and cus-
8 todial and noncustodial fathers, with particular attention
9 to low-income fathers, and to mothers and expectant
10 mothers on the same basis as to fathers.

11 **‘SEC. 448. AUTHORIZATION OF APPROPRIATIONS; RES-**
12 **ERVATION FOR CERTAIN PURPOSE.**

13 ‘(a) AUTHORIZATION.—There are authorized to be
14 appropriated \$20,000,000 for each of fiscal years 2006
15 through 2010 to carry out the provisions of this part.

16 ‘(b) RESERVATION.—Of the amount appropriated
17 under this section for each fiscal year, not more than 15
18 percent shall be available for the costs of the multicounty,
19 multicounty, multistate demonstration projects under sec-
20 tion 444, evaluations under section 445, and projects of
21 national significance under section 446.’.

22 “(b) INAPPLICABILITY OF EFFECTIVE DATE PROVI-
23 SIONS.—Section 116 shall not apply to the amendment
24 made by subsection (a) of this section.”.



1 (2) CLERICAL AMENDMENT.—Section 2 of such
2 Act is amended in the table of contents by inserting
3 after the item relating to section 116 the following
4 new item:

“117. Fatherhood program.”.

5 **SEC. 106. STATE OPTION TO MAKE TANF PROGRAMS MAN-**
6 **DATORY PARTNERS WITH ONE-STOP EMPLOY-**
7 **MENT TRAINING CENTERS.**

8 Section 408 of the Social Security Act (42 U.S.C.
9 608) is amended by adding at the end the following:

10 “(h) STATE OPTION TO MAKE TANF PROGRAMS
11 MANDATORY PARTNERS WITH ONE-STOP EMPLOYMENT
12 TRAINING CENTERS.—For purposes of section 121(b) of
13 the Workforce Investment Act of 1998, a State program
14 funded under part A of title IV of the Social Security Act
15 shall be considered a program referred to in paragraph
16 (1)(B) of such section, unless, after the date of the enact-
17 ment of this subsection, the Governor of the State notifies
18 the Secretaries of Health and Human Services and Labor
19 in writing of the decision of the Governor not to make
20 the State program a mandatory partner.”.

21 **SEC. 107. SENSE OF THE CONGRESS.**

22 It is the sense of the Congress that a State welfare-
23 to-work program should include a mentoring program.



1 **TITLE II—CHILD CARE**

2 **SEC. 201. SHORT TITLE.**

3 This title may be cited as the “Caring for Children
4 Act of 2005”.

5 **SEC. 202. GOALS.**

6 (a) GOALS.—Section 658A(b) of the Child Care and
7 Development Block Grant Act of 1990 (42 U.S.C. 9801
8 note) is amended—

9 (1) in paragraph (3) by striking “encourage”
10 and inserting “assist”,

11 (2) by amending paragraph (4) to read as fol-
12 lows:

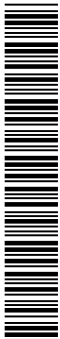
13 “(4) to assist States to provide child care to
14 low-income parents;”,

15 (3) by redesignating paragraph (5) as para-
16 graph (7), and

17 (4) by inserting after paragraph (4) the fol-
18 lowing:

19 “(5) to encourage States to improve the quality
20 of child care available to families;

21 “(6) to promote school readiness by encour-
22 aging the exposure of young children in child care to
23 nurturing environments and developmentally-appro-
24 priate activities, including activities to foster early
25 cognitive and literacy development; and”.



1 (b) CONFORMING AMENDMENT.—Section
2 658E(c)(3)(B) of the Child Care and Development Block
3 Grant Act of 1990 (42 U.S.C. 9858c(c)(3)(B)) is amended
4 by striking “through (5)” and inserting “through (7)”.

5 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 658B of the Child Care and Development
7 Block Grant Act of 1990 (42 U.S.C. 9858) is amended—
8 (1) by striking “is” and inserting “are”, and
9 (2) by striking “\$1,000,000,000 for each of the
10 fiscal years 1996 through 2002” and inserting
11 “\$2,100,000,000 for fiscal year 2005,
12 \$2,300,000,000 for fiscal year 2006,
13 \$2,500,000,000 for fiscal year 2007,
14 \$2,700,000,000 for fiscal year 2008,
15 \$2,900,000,000 for fiscal year 2009, and
16 \$3,100,000,000 for fiscal year 2010”.

17 **SEC. 204. APPLICATION AND PLAN.**

18 Section 658E(c)(2) of the Child Care and Develop-
19 ment Block Grant Act of 1990 (42 U.S.C. 9858C(c)(2))
20 is amended—

21 (1) by amending subparagraph (D) to read as
22 follows:

23 “(D) CONSUMER AND CHILD CARE PRO-
24 VIDER EDUCATION INFORMATION.—



1 “(i) CERTIFICATION.—Certify that
2 the State will collect and disseminate,
3 through resource and referral services and
4 other means as determined by the State, to
5 parents of eligible children, child care pro-
6 viders, and the general public, information
7 regarding—

8 “(I) the promotion of informed
9 child care choices, including informa-
10 tion about the quality and availability
11 of child care services;

12 “(II) research and best practices
13 on children’s development, including
14 early cognitive development;

15 “(III) the availability of assist-
16 ance to obtain child care services; and

17 “(IV) other programs for which
18 families that receive child care serv-
19 ices for which financial assistance is
20 provided under this subchapter may
21 be eligible, including the food stamp
22 program, the WIC program under sec-
23 tion 17 of the Child Nutrition Act of
24 1966, the child and adult care food
25 program under section 17 of the Rich-

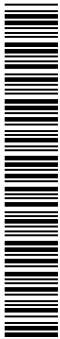


1 ard B. Russell National School Lunch
2 Act, Head Start programs, Early
3 Head Start programs, and the med-
4 icaid and SCHIP programs under ti-
5 tles XIX and XXI of the Social Secu-
6 rity Act.

7 “(ii) INFORMATION.—Information
8 provided to parents shall be in plain lan-
9 guage and, to the extent practicable, be in
10 a language that such parents can under-
11 stand.”, and

12 (2) by inserting after subparagraph (H) the fol-
13 lowing:

14 “(I) COORDINATION WITH OTHER EARLY
15 CHILD CARE SERVICES AND EARLY CHILDHOOD
16 EDUCATION PROGRAMS.—Demonstrate how the
17 State is coordinating child care services pro-
18 vided under this subchapter with Head Start
19 programs, Early Head Start programs, Early
20 Reading First, Even Start, Ready-To-Learn
21 Television, State pre-kindergarten programs,
22 and other early childhood education programs
23 to expand accessibility to and continuity of care
24 and early education consistent with the goals of
25 this Act, without displacing services provided by

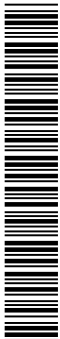


1 the current early care and education delivery
2 system.

3 “(J) PUBLIC-PRIVATE PARTNERSHIPS.—
4 Demonstrate how the State encourages partner-
5 ships with private and other public entities to
6 leverage existing service delivery systems of
7 early childhood education and increase the sup-
8 ply and quality of child care services.

9 “(K) CHILD CARE SERVICE QUALITY.—
10 “(i) CERTIFICATION.—For each fiscal
11 year after fiscal year 2006, certify that
12 during the then preceding fiscal year the
13 State was in compliance with section 658G
14 and describe how funds were used to com-
15 ply with such section during such pre-
16 ceding fiscal year.

17 “(ii) STRATEGY.—For each fiscal year
18 after fiscal year 2006, contain an outline
19 of the strategy the State will implement
20 during such fiscal year for which the State
21 plan is submitted, to address the quality of
22 child care services in the State available
23 from eligible child care providers, and in-
24 clude in such strategy—



1 “(I) a statement specifying how
2 the State will address the activities
3 described in paragraphs (1), (2), and
4 (3) of section 658G;

5 “(II) a description of measures
6 for evaluating the quality improve-
7 ments generated by the activities list-
8 ed in each of such paragraphs that
9 the State will use to evaluate its
10 progress in improving the quality of
11 such child care services;

12 “(III) a list of State-developed
13 child care service quality targets for
14 such fiscal year quantified on the
15 basis of such measures; and

16 “(IV) for each fiscal year after
17 fiscal year 2006, a report on the
18 progress made to achieve such targets
19 during the then preceding fiscal year.

20 “(iii) RULE OF CONSTRUCTION.—
21 Nothing in this subparagraph shall be con-
22 strued to require that the State apply
23 measures for evaluating quality to specific
24 types of child care providers.



1 “(L) ACCESS TO CARE FOR CERTAIN POPU-
2 LATIONS.—Demonstrate how the State is ad-
3 dressing the child care needs of parents eligible
4 for child care services for which financial assist-
5 ance is provided under this subchapter who
6 have children with special needs, work nontradi-
7 tional hours, or require child care services for
8 infants or toddlers.”.

9 **SEC. 205. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**
10 **CARE.**

11 Section 658G of the Child Care and Development
12 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended
13 to read as follows:

14 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
15 **CHILD CARE SERVICES.**

16 “A State that receives funds to carry out this sub-
17 chapter for a fiscal year, shall use not less than 6 percent
18 of the amount of such funds for activities provided
19 through resource and referral services and other means,
20 that are designed to improve the quality of child care serv-
21 ices in the State available from eligible child care pro-
22 viders. Such activities include—

23 “(1) programs that provide training, education,
24 and other professional development activities to en-
25 hance the skills of the child care workforce, includ-



1 ing training opportunities for caregivers in informal
2 care settings;

3 “(2) activities within child care settings to en-
4 hance early learning for young children, to promote
5 early literacy, and to foster school readiness;

6 “(3) initiatives to increase the retention and
7 compensation of child care providers, including
8 tiered reimbursement rates for providers that meet
9 quality standards as defined by the State; or

10 “(4) other activities deemed by the State to im-
11 prove the quality of child care services provided in
12 such State.”.

13 **SEC. 206. REPORT BY SECRETARY.**

14 Section 658L of the Child Care and Development
15 Block Grant Act of 1990 (42 U.S.C. 9858j) is amended
16 to read as follows:

17 **“SEC. 658L. REPORT BY SECRETARY.**

18 “(a) REPORT REQUIRED.—Not later than October 1,
19 2007, and biennially thereafter, the Secretary shall pre-
20 pare and submit to the Committee on Education and the
21 Workforce of the House of Representatives and the Com-
22 mittee on Health, Education, Labor and Pensions of the
23 Senate a report that contains the following:



1 “(1) A summary and analysis of the data and
2 information provided to the Secretary in the State
3 reports submitted under section 658K.

4 “(2) Aggregated statistics on the supply of, de-
5 mand for, and quality of child care, early education,
6 and non-school-hours programs.

7 “(3) An assessment, and where appropriate,
8 recommendations for the Congress concerning ef-
9 forts that should be undertaken to improve the ac-
10 cess of the public to quality and affordable child care
11 in the United States.

12 “(b) COLLECTION OF INFORMATION.—The Secretary
13 may utilize the national child care data system available
14 through resource and referral organizations at the local,
15 State, and national level to collect the information re-
16 quired by subsection (a)(2).”.

17 **SEC. 207. DEFINITIONS.**

18 Section 658P(4)(B) of the Child Care and Develop-
19 ment Block Grant Act of 1990 (42 U.S.C. 9858N(4)(B))
20 is amended by striking “85 percent of the State median
21 income” and inserting “income levels as established by the
22 State, prioritized by need,”.



1 **TITLE III—STATE AND LOCAL**
2 **FLEXIBILITY**

3 **SEC. 301. PROGRAM COORDINATION DEMONSTRATION**
4 **PROJECTS.**

5 (a) PURPOSE.—The purpose of this section is to es-
6 tablish a program of demonstration projects in a State or
7 portion of a State to coordinate multiple public assistance,
8 workforce development, and other programs, for the pur-
9 pose of supporting working individuals and families, help-
10 ing families escape welfare dependency, promoting child
11 well-being, or helping build stronger families, using inno-
12 vative approaches to strengthen service systems and pro-
13 vide more coordinated and effective service delivery.

14 (b) DEFINITIONS.—In this section:

15 (1) ADMINISTERING SECRETARY.—The term
16 “administering Secretary” means, with respect to a
17 qualified program, the head of the Federal agency
18 responsible for administering the program.

19 (2) QUALIFIED PROGRAM.—The term “qualified
20 program” means—

21 (A) activities funded under title I of the
22 Workforce Investment Act of 1998, except sub-
23 title C of such title;



1 (B) a demonstration project authorized
2 under section 505 of the Family Support Act of
3 1988;

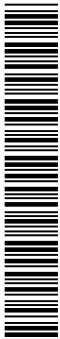
4 (C) activities funded under the Wagner-
5 Peyser Act;

6 (D) activities funded under the Adult Edu-
7 cation and Family Literacy Act; or

8 (E) activities funded under the Child Care
9 and Development Block Grant Act of 1990;

10 (c) APPLICATION REQUIREMENTS.—The head of a
11 State entity or of a sub-State entity administering 2 or
12 more qualified programs proposed to be included in a dem-
13 onstration project under this section shall (or, if the
14 project is proposed to include qualified programs adminis-
15 tered by 2 or more such entities, the heads of the admin-
16 istering entities (each of whom shall be considered an ap-
17 plicant for purposes of this section) shall jointly) submit
18 to the administering Secretary of each such program an
19 application that contains the following:

20 (1) PROGRAMS INCLUDED.—A statement identi-
21 fying each qualified program to be included in the
22 project, and describing how the purposes of each
23 such program will be achieved by the project.



1 (2) POPULATION SERVED.—A statement identi-
2 fying the population to be served by the project and
3 specifying the eligibility criteria to be used.

4 (3) DESCRIPTION AND JUSTIFICATION.—A de-
5 tailed description of the project, including—

6 (A) a description of how the project is ex-
7 pected to improve or enhance achievement of
8 the purposes of the programs to be included in
9 the project, from the standpoint of quality, of
10 cost-effectiveness, or of both; and

11 (B) a description of the performance objec-
12 tives for the project, including any proposed
13 modifications to the performance measures and
14 reporting requirements used in the programs.

15 (4) WAIVERS REQUESTED.—A description of
16 the statutory and regulatory requirements with re-
17 spect to which a waiver is requested in order to
18 carry out the project, and a justification of the need
19 for each such waiver.

20 (5) COST NEUTRALITY.—Such information and
21 assurances as necessary to establish to the satisfac-
22 tion of the administering Secretary, in consultation
23 with the Director of the Office of Management and
24 Budget, that the proposed project is reasonably ex-



1 pected to meet the applicable cost neutrality require-
2 ments of subsection (d)(4).

3 (6) EVALUATION AND REPORTS.—An assurance
4 that the applicant will conduct ongoing and final
5 evaluations of the project, and make interim and
6 final reports to the administering Secretary, at such
7 times and in such manner as the administering Sec-
8 retary may require.

9 (7) OTHER INFORMATION AND ASSURANCES.—
10 Such other information and assurances as the ad-
11 ministering Secretary may require.

12 (d) APPROVAL OF APPLICATIONS.—

13 (1) IN GENERAL.—The administering Secretary
14 with respect to a qualified program that is identified
15 in an application submitted pursuant to subsection
16 (c) may approve the application and, except as pro-
17 vided in paragraph (2), waive any requirement appli-
18 cable to the program, to the extent consistent with
19 this section and necessary and appropriate for the
20 conduct of the demonstration project proposed in the
21 application, if the administering Secretary deter-
22 mines that the project—

23 (A) has a reasonable likelihood of achieving
24 the objectives of the programs to be included in
25 the project;



1 (B) may reasonably be expected to meet
2 the applicable cost neutrality requirements of
3 paragraph (4), as determined by the Director of
4 the Office of Management and Budget; and

5 (C) includes the coordination of 2 or more
6 qualified programs.

7 (2) PROVISIONS EXCLUDED FROM WAIVER AU-
8 THORITY.—A waiver shall not be granted under
9 paragraph (1)—

10 (A) with respect to any provision of law re-
11 lating to—

12 (i) civil rights or prohibition of dis-
13 crimination;

14 (ii) purposes or goals of any program;

15 (iii) maintenance of effort require-
16 ments;

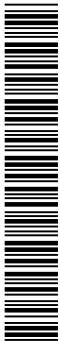
17 (iv) health or safety;

18 (v) labor standards under the Fair
19 Labor Standards Act of 1938; or

20 (vi) environmental protection;

21 (B) with respect to section 241(a) of the
22 Adult Education and Family Literacy Act;

23 (C) in the case of a program under the
24 Workforce Investment Act, with respect to any



1 requirement the waiver of which would violate
2 section 189(i)(4)(A)(i) of such Act;

3 (D) with respect to any requirement that a
4 State pass through to a sub-State entity part or
5 all of an amount paid to the State;

6 (E) if the waiver would waive any funding
7 restriction or limitation provided in an appro-
8 priations Act, or would have the effect of trans-
9 ferring appropriated funds from 1 appropria-
10 tions account to another; or

11 (F) except as otherwise provided by stat-
12 ute, if the waiver would waive any funding re-
13 striction applicable to a program authorized
14 under an Act which is not an appropriations
15 Act (but not including program requirements
16 such as application procedures, performance
17 standards, reporting requirements, or eligibility
18 standards), or would have the effect of transfer-
19 ring funds from a program for which there is
20 direct spending (as defined in section 250(c)(8)
21 of the Balanced Budget and Emergency Deficit
22 Control Act of 1985) to another program.

23 (3) AGREEMENT OF EACH ADMINISTERING SEC-
24 RETARY REQUIRED.—



1 (A) IN GENERAL.—An applicant may not
2 conduct a demonstration project under this sec-
3 tion unless each administering Secretary with
4 respect to any program proposed to be included
5 in the project has approved the application to
6 conduct the project.

7 (B) AGREEMENT WITH RESPECT TO FUND-
8 ING AND IMPLEMENTATION.—Before approving
9 an application to conduct a demonstration
10 project under this section, an administering
11 Secretary shall have in place an agreement with
12 the applicant with respect to the payment of
13 funds and responsibilities required of the ad-
14 ministering Secretary with respect to the
15 project.

16 (4) COST-NEUTRALITY REQUIREMENT.—

17 (A) GENERAL RULE.—Notwithstanding
18 any other provision of law (except subparagraph
19 (B)), the total of the amounts that may be paid
20 by the Federal Government for a fiscal year
21 with respect to the programs in the State in
22 which an entity conducting a demonstration
23 project under this section is located that are af-
24 fected by the project shall not exceed the esti-
25 mated total amount that the Federal Govern-



1 ment would have paid for the fiscal year with
2 respect to the programs if the project had not
3 been conducted, as determined by the Director
4 of the Office of Management and Budget.

5 (B) SPECIAL RULE.—If an applicant sub-
6 mits to the Director of the Office of Manage-
7 ment and Budget a request to apply the rules
8 of this subparagraph to the programs in the
9 State in which the applicant is located that are
10 affected by a demonstration project proposed in
11 an application submitted by the applicant pur-
12 suant to this section, during such period of not
13 more than 5 consecutive fiscal years in which
14 the project is in effect, and the Director deter-
15 mines, on the basis of supporting information
16 provided by the applicant, to grant the request,
17 then, notwithstanding any other provision of
18 law, the total of the amounts that may be paid
19 by the Federal Government for the period with
20 respect to the programs shall not exceed the es-
21 timated total amount that the Federal Govern-
22 ment would have paid for the period with re-
23 spect to the programs if the project had not
24 been conducted.

25 (5) 90-DAY APPROVAL DEADLINE.—



1 (A) IN GENERAL.—If an administering
2 Secretary receives an application to conduct a
3 demonstration project under this section and
4 does not disapprove the application within 90
5 days after the receipt, then—

6 (i) the administering Secretary is
7 deemed to have approved the application
8 for such period as is requested in the ap-
9 plication, except to the extent inconsistent
10 with subsection (e); and

11 (ii) any waiver requested in the appli-
12 cation which applies to a qualified program
13 that is identified in the application and is
14 administered by the administering Sec-
15 retary is deemed to be granted, except to
16 the extent inconsistent with paragraph (2)
17 or (4) of this subsection.

18 (B) DEADLINE EXTENDED IF ADDITIONAL
19 INFORMATION IS SOUGHT.—The 90-day period
20 referred to in subparagraph (A) shall not in-
21 clude any period that begins with the date the
22 Secretary requests the applicant to provide ad-
23 ditional information with respect to the applica-
24 tion and ends with the date the additional in-
25 formation is provided.



1 (e) DURATION OF PROJECTS.—A demonstration
2 project under this section may be approved for a term of
3 not more than 5 years.

4 (f) REPORTS TO CONGRESS.—

5 (1) REPORT ON DISPOSITION OF APPLICA-
6 TIONS.—Within 90 days after an administering Sec-
7 retary receives an application submitted pursuant to
8 this section, the administering Secretary shall sub-
9 mit to each Committee of the Congress which has
10 jurisdiction over a qualified program identified in
11 the application notice of the receipt, a description of
12 the decision of the administering Secretary with re-
13 spect to the application, and the reasons for approv-
14 ing or disapproving the application.

15 (2) REPORTS ON PROJECTS.—Each admin-
16 istering Secretary shall provide annually to the Con-
17 gress a report concerning demonstration projects ap-
18 proved under this section, including—

19 (A) the projects approved for each appli-
20 cant;

21 (B) the number of waivers granted under
22 this section, and the specific statutory provi-
23 sions waived;

24 (C) how well each project for which a waiv-
25 er is granted is improving or enhancing pro-



1 gram achievement from the standpoint of qual-
2 ity, cost-effectiveness, or both;

3 (D) how well each project for which a
4 waiver is granted is meeting the performance
5 objectives specified in subsection (c)(3)(B);

6 (E) how each project for which a waiver is
7 granted is conforming with the cost-neutrality
8 requirements of subsection (d)(4); and

9 (F) to the extent the administering Sec-
10 retary deems appropriate, recommendations for
11 modification of programs based on outcomes of
12 the projects.

13 **TITLE IV—EFFECTIVE DATE**

14 **SEC. 401. EFFECTIVE DATE.**

15 (a) IN GENERAL.—Except as otherwise provided, this
16 Act and the amendments made by this Act shall take ef-
17 fect on October 1, 2005.

18 (b) EXCEPTION.—In the case of a State plan under
19 part A of title IV of the Social Security Act which the
20 Secretary determines requires State legislation in order
21 for the plan to meet the additional requirements imposed
22 by the amendments made by this Act, the effective date
23 of the amendments imposing the additional requirements
24 shall be 3 months after the first day of the first calendar
25 quarter beginning after the close of the first regular ses-



1 sion of the State legislature that begins after the date of
2 the enactment of this Act. For purposes of the preceding
3 sentence, in the case of a State that has a 2-year legisla-
4 tive session, each year of the session shall be considered
5 to be a separate regular session of the State legislature.

